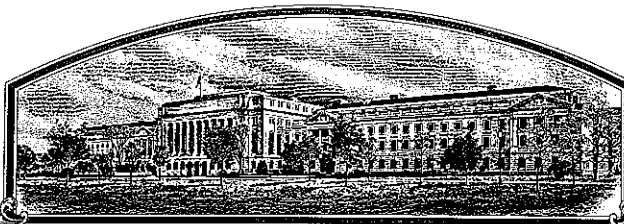


No.

9800265



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

**Hybri Tech Seed International, a unit of Monsanto Company**

Whereas, THERE HAS BEEN PRESENTED TO THE

**Secretary of Agriculture**

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT, IN THE UNITED STATES, SEED OF THIS VARIETY (1) SHALL BE IDENTIFIED BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF SEEDS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

**WHEAT, COMMON**

**'Patton'**

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this thirtieth day of July in the year of our Lord one thousand nine hundred and ninety-nine.

Attest:

*Ann Marie Sullivan*

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

*Samuel H. Hildner*  
Secretary of Agriculture



(Instructions and information collection burden statement on reverse)

*Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421) Information is held confidential until certificate is issued (7 U.S.C. 2426).*

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER		3. VARIETY NAME	
HybriTech Seed International, a unit of Monsanto Co.		M94-1048		Patton	
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code)		5. TELEPHONE (include area code)		FOR OFFICIAL USE ONLY	
5912 N. Meridian Street Wichita, Kansas 67204-1699		316-755-1250		PVPO NUMBER	
		6. FAX (include area code)		DATE	
		316-755-0072		5/20/98	
7. GENUS AND SPECIES NAME		8. FAMILY NAME (Botanical)		FILING AND EXAMINATION FEE:	
Triticum aestivum		Gramineae		2450-	
9. CROP KIND NAME (common name)				DATE	
Soft Red Winter Wheat				5/20/1998	
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (common name)				CERTIFICATION FEE	
Corporation				300	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION		12. DATE OF INCORPORATION		DATE	
Delaware		1933		8-10-99	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS		14. TELEPHONE (include area code)		15. FAX (include area code)	
Dr. Gordon Cisar 806 N. Second Street PO Box 1320 Berthoud, Colorado 80513		Mr. Robert Bruns 806 N. Second Street PO Box 30 Berthoud, Colorado 80513 970-532-3721		970-532-9840 970-532-2035	
16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (follow instructions on reverse)					
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety					
b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness					
c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety					
d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety					
e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership					
f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds, or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in a public repository)					
g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)					
17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)					
<input checked="" type="checkbox"/> YES (if "yes", answer items 18 and 19 below) <input type="checkbox"/> NO (if "no", go to item 20)					
18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?					
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDERS SEED?					
<input checked="" type="checkbox"/> FOUNDATION <input checked="" type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED					
20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?					
<input type="checkbox"/> YES (if "YES", give names of countries and dates) <input checked="" type="checkbox"/> NO					
21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.					
The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.					
Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF APPLICANT (Owner(s))			SIGNATURE OF APPLICANT (Owner(s))		
Dr. Gordon Cisar			Dr. Gordon Cisar		
NAME (Please print or type)			NAME (Please print or type)		
Dr. Gordon Cisar			Dr. Gordon Cisar		
CAPACITY OR TITLE		DATE	CAPACITY OR TITLE		DATE
Senior Project Leader, HRW Research		5/12/98			

***Exhibit A.***  
***Origin and Breeding History of Patton***

Patton was derived from the female SW85\*94 (an Agripro experimental line which resulted from the cross Gentry // Yorkstar \*2 / Kitakomi Komugi), the male was Purdue line 82104B1-3-2. A bulk breeding system was used to develop Patton. F1, F2, F3 and F4 generations were grown in the Lafayette, IN area. From the F4 bulk population twenty heads were selected for height and maturity. These were grown as F5 headrows with one row being selected for height, maturity and green leaf retention. Advanced yield testing has been conducted the past three years in Agripro trials in Ohio, Indiana, Illinois, Missouri, Arkansas and Maryland. Patton was tested as entry #19 in the Uniform Eastern Soft Red Winter Wheat Nursery during the 1996-97 season.

In 1995, 200 heads were space-planted in Berthoud, Colorado and heavily rogued. The plants with uniform appearance were bulk harvested and used to plant an initial .2 acre Breeders Seed increase in 1996 which produced 700 pounds seed. In 1997 a four acre Breeders Seed increase was grown in Berthoud, Colorado which produced 25,500 pounds of seed.

Patton has been uniform and stable since 1996. Less than 0.8% of the plants were rogued from the initial Breeder's Seed increase in 1996. Approximately 50% of the rogued variant plants were taller height wheat plants (3 to 18 cm's), 20% were green plant color at boot stage, 15% were awned wheat plants and 5% were bronze chaffed plants. Up to 1% variant plants may be encountered in subsequent generations.

***Exhibit B.***  
***Statement of Distinctness***

Patton is most similar to the soft red winter wheat 'Sawyer'. However, it can be easily distinguished by the following morphological characteristics:

- Patton has a blue green plant color at boot stage, Royal Horticultural Society No. 122B (Berthoud, CO 1996, 1997). Sawyer has a green plant color at boot stage, Royal Horticultural Society No. 137A (Berthoud, CO 1996, 1997).
- Patton has yellow anthers at anthesis (Berthoud, CO 1996, 1997). Sawyer has purple anthers at anthesis (Berthoud, CO 1996, 1997).
- Patton has an erect flag leaf at boot stage (Berthoud, CO 1996, 1997). Sawyer has a flag leaf that is at a 90 degree angle from the stem (Berthoud, CO 1996, 1997).

28 MAY 50 63 01

0204-VW2-BA60  
RECEIVED

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE DIVISION  
BELTSVILLE, MARYLAND 20705

EXHIBIT C  
(Wheat)

OBJECTIVE DESCRIPTION OF VARIETY  
WHEAT (*Triticum* Spp.)

NAME OF APPLICANT(S) <b>HybriTech Seed International, a unit of Monsanto Co.</b>	FOR OFFICIAL USE ONLY PVPO NUMBER <b>9800265</b>
ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) <b>5912 N. Meridian Street Wichita, Kansas 67204-1699</b>	NAME OR EXPERIMENTAL DESIGNATION <b>Patton</b>

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in the first box when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized standard may be used to determine plant colors; designate system used.

Please answer all questions for your variety; lack of response may delay progress of your application.

1. KIND:

1=Common    2=Durum    3=Club    4=Other (specify) \_\_\_\_\_

2. VERNALIZATION:

1=Spring    2=Winter    3=Other (specify) \_\_\_\_\_

3. COLEOPTILE ANTHOCYANIN:

1=Absent    2=Present

4. JUVENILE PLANT GROWTH:

1=Prostrate    2=Semi-erect    3=Erect

5. PLANT COLOR (boot stage):

1 = Yellow-Green    2 = Green    3 = Blue-Green

6. FLAG LEAF (boot stage):

1 = Erect    2 = Recurved

1 = Not Twisted    2 = Twisted

7. EAR EMERGENCE:

Number of Days Earlier Than \_\_\_\_\_ \*Equal to Sawyer (SRWW) \*

Number of Days Later Than \_\_\_\_\_ \*

8. ANTHR COLOR:

1 = YELLOW    2 = PURPLE

9. PLANT HEIGHT (from soil to top of head, excluding awns):

cm Taller Than \_\_\_\_\_ Foster (SRWW) \*

cm Shorter Than \_\_\_\_\_ \*

\* Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial

## 10. STEM:

## A. ANTHOCYANIN

**1** 1= Absent 2=Present

## B. WAXY BLOOM

**2** 1=Absent 2=Present

C. HAIRINESS (*last internode of rachis*)

**2** 1=Absent 2=Present

D. INTERNODE (*specify number*)

**1** 1=Hollow 2=Semi-solid 3=Solid

## E. PEDUNCLE

**1** 1=Erect 2=Recurved

**1 6** cm Length

11. HEAD (*at Maturity*):

## A. DENSITY

**2** 1=Lax 2=Middense 3= Dense

## B. SHAPE

**1** 1 = Tapering 2= Strap 3 = Clavate 4 = Other (*specify*)

## C. CURVATURE

**1** 1 = Erect 2 = Inclined 3 = Recurved

## D. AWNEDNESS

**3** 1 = Awnless 2 = Apically Awnletted 3 = Awnletted 4 = Awned

12. GLUMES (*at Maturity*):

## A. COLOR

**1** 1 = White 2 = Tan 3 = Other (*specify*)

## B. SHOULDER

**2** 1 = Wanting 2 = Oblique 3 = Rounded 4 = Square 5 = Elevated 6 = Apiculate

## C. BEAK

**1** 1 = Obtuse 2 = Acute 3 =Acuminate

## D. LENGTH

**3** 1 = Short (ca. 7mm) 2 = Medium (ca. 8mm) 3 = Long (ca. 9mm)

## E. WIDTH

**2** 1 = Narrow (ca. 3mm) 2 = Medium (ca. 3.5mm) 3 = Wide (ca. 4mm)

## 13. SEED:

## A. SHAPE

**1** 1 = Ovate 2 = Oval 3 = Elliptical

## B. CHEEK

**1** 1=Rounded 2=Angular

## C. BRUSH

**2** 1=Short 2=Medium 3=Long

**1** 1 = Not Collared 2 = Collared

## D. CREASE

**1** 1 = Width 60% or less of Kernel  
2 = Width 80% or less of Kernel  
3 = Width Nearly as Wide as Kernel

**1** 1 = Depth 20% or less of Kernel  
2 = Depth 35% or less of Kernel  
3 = Depth 50% or less of Kernel

## 13. SEED: (continued)

## E. COLOR

☒ 3 1 = White 2 = Amber 3 = Red 4 = Other (specify) \_\_\_\_\_

## F. TEXTURE

☒ 2 1=Hard 2=Soft

## G. PHENOL REACTION (see instructions):

☒ 0 1 = Ivory 2 = Fawn 3 = Light Brown 4 = Dark Brown 5 = Black

## 14. DISEASE: (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

<input checked="" type="checkbox"/> 4 Stem Rust ( <i>Puccinia graminis</i> f. sp. <i>tritici</i> ) Field races	<input checked="" type="checkbox"/> 2 Leaf Rust ( <i>Puccinia recondita</i> f. sp. <i>tritici</i> ) Field- Regional nurseries
<input checked="" type="checkbox"/> 0 Stripe Rust ( <i>Puccinia striiformis</i> )	<input checked="" type="checkbox"/> 0 Loose Smut ( <i>Ustilago tritici</i> )
<input checked="" type="checkbox"/> 0 Tan Spot ( <i>Pyrenophora tritici-repentis</i> )	<input checked="" type="checkbox"/> 0 Flag Smut ( <i>Urocystis agropyri</i> )
<input checked="" type="checkbox"/> 0 Halo Spot ( <i>Selenophoma donacis</i> )	<input checked="" type="checkbox"/> 0 Common Bunt ( <i>Tilletia tritici</i> or <i>T. laevis</i> )
<input checked="" type="checkbox"/> 3 <i>Septoria nodorum</i> (Glume Blotch) Field- Regional nurseries	<input checked="" type="checkbox"/> 0 Dwarf Bunt ( <i>Tilletia controversa</i> )
<input checked="" type="checkbox"/> 0 <i>Septoria avenae</i> (Speckled Leaf Disease)	<input checked="" type="checkbox"/> 0 Karnal Bunt ( <i>Tilletia indica</i> )
<input checked="" type="checkbox"/> 3 <i>Septoria tritici</i> (Speckled Leaf Blotch) Field- Regional nurseries	<input checked="" type="checkbox"/> 4 Powdery Mildew ( <i>Erysiphe graminis</i> f. sp. <i>tritici</i> ) Field- Regional nurseries
<input checked="" type="checkbox"/> 3 Scab ( <i>Fusarium</i> spp.) Field- Regional nurseries	<input checked="" type="checkbox"/> 0 Snow Molds
<input checked="" type="checkbox"/> 0 Black Point (Kernel Smudge)	<input checked="" type="checkbox"/> 0 Common Root Rot ( <i>Fusarium</i> , <i>Cochliobolus</i> and <i>Bipolaris</i> spp.)
<input checked="" type="checkbox"/> 3 Barley Yellow Dwarf Virus (BYDV) Field- Regional nurseries	<input checked="" type="checkbox"/> 0 Rhizoctonia Root Rot ( <i>Rhizoctonia solani</i> )
<input checked="" type="checkbox"/> 4 Soilborne Mosaic Virus (SBMV)	<input checked="" type="checkbox"/> 0 Black Chaff ( <i>Xanthomonas campestris</i> pv. <i>translucens</i> )
<input checked="" type="checkbox"/> 0 Wheat Yellow (Spindle Streak) Mosaic Virus	<input checked="" type="checkbox"/> 0 Bacterial Leaf Blight ( <i>Pseudomonas syringae</i> pv. <i>syringae</i> )
<input checked="" type="checkbox"/> 0 Wheat Streak Mosaic Virus (WSMV)	<input type="checkbox"/> Other (specify) _____
<input type="checkbox"/> Other (specify) _____	<input type="checkbox"/> Other (specify) _____
<input type="checkbox"/> Other (specify) _____	<input type="checkbox"/> Other (specify) _____
<input type="checkbox"/> Other (specify) _____	<input type="checkbox"/> Other (specify) _____

15. INSECT: (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

<input checked="" type="checkbox"/> 2	Hessian Fly ( <i>Mayetiola destructor</i> ) H5 gene B,C,D,E	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/> 0	Stem Sawfly ( <i>Cephus</i> spp.)	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/> 0	Cereal Leaf Beetle ( <i>Oulema melanopa</i> )	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/> 0	Russian Aphid ( <i>Diuraphis noxia</i> )	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/> 0	Greenbug ( <i>Schizaphis graminum</i> )	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/> 0	Aphids		

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS:

---

---

---

---

28 MAY 50 10:05

0204-442-6460  
RECEIVED



***Exhibit D.***  
***Additional Description of Patton***

Patton is a soft red winter wheat bred by Agripro Seeds, Inc. Patton is a high yielding, medium height variety with medium maturity, very good test weight and good straw strength.

Juvenile growth habit is semierect. Seedling anthocyanin is present. Plant color at boot stage is blue green. Auricle anthocyanin and auricle hairs are present. Flag leaf at boot stage is erect and twisted. Waxy bloom is present on the head, stem and flag leaf sheath. Anther color is yellow. Head shape is tapering and awnletted. Glumes are glabrous, medium in width and long in length with oblique shoulders and obtuse beaks. Seed shape is ovate. Brush hairs are medium in size. Seed crease depth is shallow and width is narrow.

Patton is primarily adapted to an area from southern Michigan to Northern Arkansas, and from western Missouri to the northern East coast.

28 MAY 50 63:05

0204-1152-1440  
RECEIVED

**Patton**  
**Agripro Seeds Inc.**  
**Quality Data**  
**Caldwell is an industry benchmark**

	Milling		Wheat Protein %	Baking		Top Grain	Norris Hardness	Scores	
	Brk Flr %	Tot Flr %		Flour Pro %	Cook Diam. mm			Mill	Bake
96 - cl	40.3	67.4	12.6	10.7	17.2	3	18	8-B	7-B
96 - bk	39.3	67.7	14.3	12.1	17.2	4	21	7-B	6-A
95 - wn	40.1	67.9	9.7	7.9	18.2	4	19	8-B	9-B
95 - bk	37.7	68.8	11.5	9.3	17.8	3	25	8-B	5-A

**Agripro Patton**

Average	39.4	68.0	12.0	10.0	17.6	4.0	21.0	8-B	8-B
---------	------	------	------	------	------	-----	------	-----	-----

96 - cl	44.7	67.7	11.7	9.7	17.8	2	20	6-A	7-B
96 - bk	43.2	66.9	13	11.2	17.4	3	21	6-A	7-B
95 - wn	43.4	69	10	8.4	17.9	4	22	5-A	8-B
95 - bk	41.9	69.5	9.9	8.3	17.9	3	30	6-A	10-B

**Caldwell**

Average	43.3	68.3	11.2	9.4	17.8	3.0	23.0	6-A	9-B
---------	------	------	------	-----	------	-----	------	-----	-----

cl : Southeast Illinois  
 bk : Northwest Indiana  
 wn : Northeast Indiana

Ratings: 1-2=Excellent 3-4=Good 5=Acceptable 6-7=Questionable 8-9=Unacceptable

9800265

**Patton**  
**Agripro Seeds Inc.**  
 1, 2 or 3 year comparisons - Yield (Bu/Ac)

	Areas										
	All Areas	Great Lakes		Ohio Valley		East Coast		Great Plains		Mid-South	
		Trials	Yield	Trials	Yield	Trials	Yield	Trials	Yield	Trials	Yield
Agripro Patton	73	15	72	8	71	1	78				
Agripro Sawyer	67		67		64		81				
Agripro Patton	80	16	80	10	77	5	96	5	72	6	72
Agripro Foster	76		77		74		84		73		67
Agripro Patton	76	28	74	17	71	5	96	6	71	5	73
Pioneer 2548	67		64		63		90		60		64
Agripro Patton	72	23	71	12	66	2	78	4	74	4	76
Caldwell	61		59		54		73		69		68
Agripro Patton	80	15	79	10	77	4	101	4	69	4	73
Cardinal	75		73		70		95		63		74

**Great Lakes Area:** Upper Illinois, Upper Indiana, Wisconsin, Michigan, Upper Ohio

**Ohio Valley Area:** Lower Illinois, Lower Indiana, Lower Ohio, Kentucky, South East Missouri

**East Coast:** Pennsylvania, New York, Maryland, Virginia

**Great Plains:** Northwest Arkansas, Western Missouri, Kansas

**Mid-South:** Arkansas, Tennessee, Upper Louisiana, Upper Mississippi, North East Texas

**Patton**  
**Agripro Seeds Inc.**  
**Agronomic Data**

1995 locations	Test Weight		Heading date		Plant Height		Straw Strength	Winter Survival	
	bk	wn	bk	ci	bk	ci	ao	fo	mo
<b>Agripro Patton</b>	<b>61</b>	<b>60</b>	<b>140</b>	<b>119</b>	<b>44</b>	<b>41</b>	<b>3</b>	<b>3</b>	<b>2</b>
Agripro Sawyer	59	57	140	119	42	41	2	3	3
Agripro Clemens	60	60	143		45	45	1	2	3
Pioneer 2548	61	60	141	120	42	39	1	3	3
Caldwell	58	59	139		41	41	1	3	3

bk : Northwest IN  
wn : Northeast IN  
ci : Southeast Illinois  
ao : West central Ohio  
fo : Northwest Ohio  
mo : Central Ohio

1996 locations	Test Weight		Heading date		Plant Height		Straw Strength	Winter Survival	
	bk	ci	bk	ci	bk	ci	ja	wn	ci
<b>Agripro Patton</b>	<b>55</b>	<b>56</b>	<b>146</b>	<b>131</b>	<b>32</b>	<b>38</b>	<b>1</b>	<b>5</b>	<b>3</b>
Agripro Clemens	50	57	150	133	34	36	7	4	2
Pioneer 2548	49	57	150	131	28	36		6	3
Patterson	54	57	143	129	33	38		2	2
Caldwell	52	56	144	131	34	37		3	3

bk : Northwest IN  
ci : Southeast Illinois  
ja : Northeast Arkansas  
wn : Northeast IN

1997 locations	Test Weight		Heading date		Plant Height		Straw Strength		Winter Survival	
	ci	lf	ci	lf	ci	lf	ci	lf	ao	lf
<b>Agripro Patton</b>	<b>57</b>	<b>57</b>	<b>128</b>	<b>143</b>	<b>44</b>	<b>41</b>	<b>4</b>	<b>2</b>	<b>4.7</b>	<b>2</b>
Agripro Foster	58	55	129	146	43	38	3	5	4.7	3
Agripro Clemens	58	53	131	147	46	40	4	4	6.3	3.5
Agripro Sawyer	55	55	127	144	44	40	7	3	5.7	3.5
Patterson	58	56	129	143	45	41	2	2	5.7	2

ci : Southeast Illinois  
lf : Northwest IN  
ao : West Central Ohio

9800265

**Patton**  
**Agripro Seeds Inc.**  
**Disease Scores**  
**Scale 1=None, 9=Very Susceptable**

1995 locations	Powdery Mildew		Septoria Tritici		Septoria Nodorum	Leaf Rust		Soil Borne Mosaic Virus	Fusarium Head Blight	
	fo	ci	bk	ci	ci	bk	ci	ji	fo	pa
<b>Agripro Patton</b>	2	2	1	3	2	1	1	2	2	2
Agripro Sawyer	1	1	4	6	2	2	2	3	4	2
Agripro Clemens	3	3	3		3	1	1	3	4	5
Pioneer 2548	1	1	3	4	2	1	2	4	3	4
Caldwell	3	3	4		2	2	1	7	8	3

fo : Northwest Ohio  
ci : Southeast Illinois  
bk : Northwest IN  
ji : Southwest Illinois  
pa : Central Illinois

1996 locations	Powdery Mildew	Septoria Tritici		Septoria Nodorum	Leaf Rust	Soil Borne Mosaic Virus	Fusarium Head Blight
	bk	ci	ja				ja
<b>Agripro Patton</b>	3	3	2				1
Agripro Clemens	2	6	3				4
Pioneer 2548	1	6	3				3
Patterson	1	6	4				4
Caldwell	2	7	3				5

bk : Northwest IN  
ci : Southeast Illinois  
ja : Northeast Arkansas

1997 locations	Powdery Mildew		Septoria Tritici		Septoria Nodorum	Leaf Rust		Soil Borne Mosaic Virus		Fusarium Head Blight
	lf	lk	cm	pa	lf	ja	ji	lf	sn	lf
<b>Agripro Patton</b>	3	2	3	2	5	3	2	3	2	2
Agripro Foster	3	5	3	3	4	5	3	3	2	4
Agripro Clemens	5		3	3	2	3		5	4	5
Agripro Sawyer	2			2	3			5	4	5
Patterson	5		4	4	8			3	2	5

lf : Northwest IN  
lk : Northern Kentucky  
cm : Central Missouri  
pa : Central Illinois  
ja : Northeast Arkansas  
ji : Western Illinois  
sn : West Central Indiana

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP***The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.**Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).*

1. NAME OF APPLICANT(S)  HybriTech U.S., a unit of Monsanto Company	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  M94-1048	3. VARIETY NAME  'Patton'
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)  5912 N. Meridan Street Wichita, Kansas 67204-1699	5. TELEPHONE (include area code)  316-755-1250	6. FAX (include area code)  316-755-0072
7. PVPO NUMBER  9800265		

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. ☒ YES ☐ NO9. Is the applicant (individual or company) a U.S. national or U.S. based company? ☒ YES ☐ NO

If no, give name of country

10. Is the applicant the original owner? ☐ YES ☒ NO If no, please answer one of the following:

a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?

☐ YES ☐ NO If no, give name of country

b. If original rights to variety were owned by a company(ies), is(are) the original owner(s) a U.S. based company?

☒ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (if needed, use reverse for extra space):

\*Please see following page.

**PLEASE NOTE:**

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

***Exhibit E.***  
***Statement of the Basis of Applicant's Ownership***

The variety for which Plant Variety Protection is hereby sought was developed by Curtis Beazer, an employee of Agripro Seeds, Inc. By agreement between employees and Agripro Seeds, Inc., all rights to any invention, discovery, or development made by the employee while employed by Agripro Seeds, Inc., were assigned to Agripro Seeds, Inc., with no rights of any kind pertaining to 'Patton' being retained by the employees.

By contractual agreement the variety 'Patton' was purchased from Agripro Seeds, Inc. in June of 1996 and is currently owned by HybriTech Seed International, Inc.

28 MAY 20 11 05

0204-4402-0400  
RECEIVED